

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :  
 :  
 : 15 Cr. 565 (VEC)  
 - v. - :  
 :  
 KEVIN JOHNSON, :  
 :  
 Defendant. :  
 :  
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**DECLARATION OF HANNAH BLOCH-WEHBA**

I, Hannah Bloch-Wehba, pursuant to 28 U.S.C. § 1746, hereby declare:

1. I am a supervising attorney at the Media Freedom and Information Access Clinic (“MFIA Clinic”), which represents proposed intervenor Pro Publica, Inc. (“ProPublica”) in this action seeking to vacate the protective order and to unseal the portions of the Declaration of Expert Witness Nathaniel Adams, Exhibit C, Dkt 99, that are redacted in the public file.

2. I am an attorney licensed to practice law in the State of Texas and the District of Columbia. My application for admission to practice before this court pro hac vice in this action is forthcoming.

3. I submit this declaration in support of ProPublica’s application for leave to intervene, lift the protective order and unseal judicial records.

4. On September 14, 2017, I contacted counsel for defendant Kevin Johnson, who indicated that he does not object to the filing of ProPublica’s application.

5. On September 25, 2017, I contacted counsel for the Government by email. Counsel for the Government did not send a response, and did not indicate whether the Government consents to the filing of ProPublica’s application.

6. Attached hereto as **Exhibit A** is a true and correct copy of the following publicly available document: Ryan Gabrielson, *Houston Police End Use of Drug Tests that Helped Produce Wrongful Convictions*, ProPublica (July 14, 2017), <https://www.propublica.org/article/houston-police-end-drug-tests-that-helped-produce-wrongful-convictions>.

7. Attached hereto as **Exhibit B** is a true and correct copy of the following publicly available document: Ryan Gabrielson, *Another Startling Verdict for Forensic Science*, ProPublica (Apr. 14, 2017), <https://www.propublica.org/article/another-startling-verdict-for-forensic-science-1>.

8. Attached hereto as **Exhibit C** is a true and correct copy of the following publicly available document: Julia Angwin, Jeff Larson, Surya Mattu, and Lauren Kirchner, *Machine Bias*, ProPublica (May 23, 2016), <https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing>.

9. Attached hereto as **Exhibit D** is a true and correct copy of the following publicly available document: Catherine Leahy Scott, *Investigation into the New York City Office of Chief Medical Examiner: Department of Forensic Biology*, New York State Office of the Inspector General (Dec. 2013), <https://www.ig.ny.gov/sites/default/files/pdfs/OCMEFinalReport.pdf>.

10. Attached hereto as **Exhibit E** is a true and correct copy of the following publicly available document: Lauren Kirchner, *Thousands of Criminal Cases in New York Relied on Disputed DNA Testing Techniques*, ProPublica (Sept. 4, 2017), <https://www.propublica.org/article/thousands-of-criminal-cases-in-new-york-relied-on-disputed-dna-testing-techniques>.

11. Attached hereto as **Exhibit F** is a true and correct copy of the following publicly available document: *Misapplication of Forensic Science*, The Innocence Project, <https://www.innocenceproject.org/causes/misapplication-forensic-science/>.

12. Attached hereto as **Exhibit G** is a true and correct copy of the following publicly available document: Matthew Shaer, *The False Promise of DNA Testing*, The Atlantic (June 2016), <https://www.theatlantic.com/magazine/archive/2016/06/a-reasonable-doubt/480747/>.

13. Attached hereto as **Exhibit H** is a true and correct copy of the following publicly available document: Keith L. Alexander, *National Accreditation Board Suspends All DNA Testing at D.C. Crime Lab*, Wash. Post (Apr. 27, 2015), [https://www.washingtonpost.com/local/crime/national-accreditation-board-suspends-all-dna-testing-at-district-lab/2015/04/26/2da43d9a-ec24-11e4-a55f-38924fca94f9\\_story.html](https://www.washingtonpost.com/local/crime/national-accreditation-board-suspends-all-dna-testing-at-district-lab/2015/04/26/2da43d9a-ec24-11e4-a55f-38924fca94f9_story.html).

14. Attached hereto as **Exhibit I** is a true and correct copy of the following publicly available document: Tony Plohetski, *Austin Police DNA Lab Closed Amid Forensics Commission's Concerns*, Austin-American Statesman (June 10, 2016), <http://www.mystatesman.com/news/austin-police-dna-lab-closed-amid-forensics-commission-concerns/rjbYwEnkci0IVy7LAPXVnM/>.

15. Attached hereto as **Exhibit J** is a true and correct copy of the following publicly available document: Adam Liptak, *Houston DNA Review Clears Convicted Rapist, and Ripples in Texas Could Be Vast*, The New York Times (Mar. 11, 2003), <http://www.nytimes.com/2003/03/11/us/houston-dna-review-clears-convicted-rapist-and-ripples-in-texas-could-be-vast.html>.

16. Attached hereto as **Exhibit K** is a true and correct copy of the following publicly available document: Brian Rogers, *Scores Of Cases Affected After HPD Crime Lab Analyst*

*Ousted*, Houston Chronicle (June 18, 2014, 2:10 PM),

<http://www.houstonchronicle.com/news/houston-texas/houston/article/Scores-of-cases-affected-after-HPD-Crime-Lab-5562835.php>.

17. Attached hereto as **Exhibit L** is a true and correct copy of the following publicly available document: Eric Dexheimer, *Austin Crime Lab Bucked DNA Standard For Years, Yet Got Passing Grades*, Austin-American Statesman (Jan. 12, 2017), <http://www.mystatesman.com/news/crime--law/austin-crime-lab-bucked-dna-standard-for-years-yet-got-passing-grades/MZBboOfzXWWgqlem6867TO/>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of September, 2017, at New Haven, Connecticut.

/s/ Hannah Bloch-Wehba

Hannah Bloch-Wehba